

**UNITED STATES DISTRICT COURT  
District of Maine**

**COLLEEN BRISETTE,**

**Plaintiff**

**v.**

**FRIENDLY'S ICE CREAM, LLC,**

**Defendant**

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**No. 1:13-cv-447-GZS**

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on March 31, 2015, his Recommended Decision (ECF No. 35). Defendant filed its Objection to the Recommended Decision (ECF No. 36) on April 14, 2015. Plaintiff filed her Response to Defendant's Objection to the Recommended Decision (ECF No. 38) on April 29, 2015.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 19) is **GRANTED** as to Count II of the Complaint and **DENIED** as to Count I of the Complaint.
3. It is **ORDERED** that Defendant's request for oral argument on its Objection is **DENIED**.

/s/George Z. Singal

U.S. District Judge

Dated this 13<sup>th</sup> day of May, 2015.